

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/KK

RIO CHAMA STREAM SYSTEM
Section 3: Canjilon Creek

Subfile No. CHCJ-002-0030

MOTION TO CORRECT CLERICAL ERROR
IN ORDER GRANTING DEFAULT JUDGMENT FILED AUGUST 29, 2002
FOR SUBFILE CHCJ-002-0030

Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”), moves the Court to amend the Order Granting Default Judgment (“Default Order”) filed August 29, 2002 (Doc. 6835) for subfile CHCJ-002-0030. As grounds therefore Plaintiff states:

1. The Default Order filed August 29, 2002 (Doc. 6835) for subfile CHCJ-002-0030 contains a clerical error in the description the X and Y coordinates for the point of diversion of the Rivera Ditch No. 2. The Court may correct clerical errors at any time on its own initiative or on the motion of any party. Fed.R.Civ.P. 60(a).

2. The description of the location of the point of diversion of the Rivera Ditch No. 2 should be amended as follows:

Point of Diversion:

Ditch Name: RIVERA DITCH NO. 2

Location: X = 1,587,140 feet Y = 2,001,278 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

WHEREFORE, the State requests the Court to correct the description of the X and Y coordinates for the point of diversion of the Rivera Ditch No. 2 in the Default Order filed August 29, 2002 (Doc. 6835) for subfile CHCJ-002-0030 as described above in paragraph 2.

Pursuant to the Court's February 4, 2013 Order (Doc. 10891), the State requests the Clerk of the Court to mail a copy of the approved Order requested in this Motion to the party listed below at the address listed.

Respectfully submitted,

/s/ Felicity Strachan
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th day of August, 2018, I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Max Marquez
P.O. Box 704
El Rito, NM 87530

/s/ Felicity Strachan
FELICITY STRACHAN